

REMARKS

This is in response to the Official Action currently outstanding in the above-identified application, which Official Action the Examiner has designated as being FINAL

Claims 1-7 were present in this application at the time of the issuance of the currently outstanding FINAL Official Action. The present Amendment amends Claims 1-2, 4 and 6 and cancels Claim 3. Accordingly, upon the entry of the foregoing Amendment, the claims under active prosecution in this application will be Claims 1-2 and 4-7.

The claims as they will stand upon the entry of the foregoing Amendment are set forth in full herein as required by the Rules.

In the currently outstanding Official Action, the Examiner has:

1. Failed to re-acknowledged Applicant's claim for foreign priority under 35 USC §119 (a)-(d) or (f), and has failed to reconfirm the receipt by the United States Patent and Trademark Office of the required copies of the priority documents – **Since the Examiner previously acknowledged Applicants' claim for foreign priority and submission of the required copy of the priority document, this item is simply noted for the record here;**
2. Failed to reconfirm his previous acceptance of the drawings as filed on 5 December 2001 –**Since the Examiner also previously indicated the acceptability of the drawings currently on file in this application, this item too is simply noted for the record here;**
3. Acknowledged the Information Disclosure Statement filed in this application in November of 2004 by providing Applicant with copies of the Forms PTO 1449 that accompanied that Statements duly signed, dated and initialed in confirmation of the consideration of the art identified therein;

4. Pointed out a minor typographical error in Claim 1 – **the error pointed out by the Examiner is corrected by the foregoing proposed Amendment;**
5. Rejected Claim 1 and 2 under 35 USC 103(a) as being unpatentable over Nakano (US Patent No. 6,438,090) in view of Takahashi (US Patent No. 6,108,139);
6. Rejected Claims 6 and 7 under 35 USC 103(a) as being unpatentable over Nakano (US Patent No. 6,438,090) in combination with Takahashi (US Patent No. 6,108,139) and further in view of Maeda et al. (US Patent No. 6,414,931);
7. Objected to Claim 1 due to a typographical error. Claim 21 recites "driving means...fro displacing", should be for";
8. Objected to Claims 3-5 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims;
9. Provided Applicants with a Statement of his Reasons for Allowance of the allowed claims specified hereinabove and his response to Applicants' argument as presented in response to the previous non-final Official Action in this case.

With regard to items 1-4 and 9, further detailed discussion in these Remarks is not believed to be necessary.

With regard to item 7, the typographical error pointed out by the Examiner has been corrected by the foregoing Amendment.

With respect to items 5-6 and 9, it is noted that the Examiner has indicated that the subject matter of Claims 3-5 is allowable by virtue of his statement that claims 3-5 would be allowable if rewritten in independent form including all of the limitations of their respective base claims and any intervening claims. It further is respectfully noted that all of the claims of this application are directly or indirectly dependent upon independent Claim 1. Hence, since Claim 1 as hereinabove amended is allowable, the claims dependent thereon also are allowable.

A decision so holding in response to this communication is respectfully requested.

Applicants also believe that additional fees beyond those submitted herewith are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: November 3, 2005



SIGNATURE OF PRACTITIONER

Reg. No. 27,840

David A. Tucker
(type or print name of practitioner)
Attorney for Applicant

Tel. No. (617) 517-5508

Edwards Angell Palmer & Dodge LLP
P. O. Box 55874
P.O. Address

Customer No. 21874

Boston, MA 02205